

**NO. PD-0438-18**

**IN THE**  
**TEXAS COURT OF CRIMINAL APPEALS**

FILED  
COURT OF CRIMINAL APPEALS  
10/2/2018  
DEANA WILLIAMSON, CLERK

**THE STATE OF TEXAS,**  
**PETITIONER**

\*

**VS.**

\*

**RICHARD HYLAND,**  
**RESPONDENT**

\*

**RESPONDENT'S MOTION FOR EXTENSION OF TIME**  
**TO FILE REPLY BRIEF TO PETITION FOR DISCRETIONARY REVIEW**

**TO THE HONORABLE THIRTEENTH COURT OF APPEALS:**

Now comes the Respondent, **Richard Hyland**, by and through his attorneys, **JOHN GILMORE** and **CHRISTOPHER DORSEY**, and moves this Court to grant an extension of time to file Reply Brief to the Petition for Discretionary Review in this case, and for cause would show the Court as follows:

**I.**

Respondent was convicted of the Felony offense of Intoxication Manslaughter on August 9, 2016 in Cause No. 14-CR-3456-G in the 319<sup>th</sup> District Court of Nueces County. Respondent was Sentenced to confinement in the Institutional Division of Texas Department of Criminal Justice for twenty-seven (27) years. Respondent is incarcerated.

**II.**

The Appeal was perfected by the timely filing of the Notice of Appeal on October 31, 2016.

**III.**

The present deadline for filing the Respondent's Reply Brief to Petition for Discretionary

Review is October 1, 2018.

IV.

Respondent requests that the deadline for filing the Respondent's Reply Brief to the Discretionary Review be extended for two weeks on October 15, 2018.

V.

Respondent's attorney, John Gilmore, has disposed of numerous misdemeanor and felony cases in the last thirty days. Respondent's attorney, Christopher Dorsey, suffered from a heart attack and is recovering from the medical issue.

WHEREFOR PREMISES CONSIDERED, Respondents respectfully pray that this Honorable Court extend the time for filing the Respondent's Reply Brief to the Petition for Discretionary Review until October 15, 2018.

Respectfully submitted,

/s/ John Gilmore

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/s/ Christopher Dorsey

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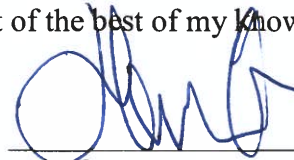
ATTORNEYS FOR RESPONDENT

STATE OF TEXAS \*

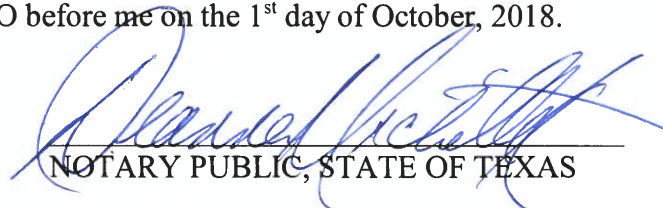
COUNTY OF NUECES \*

BEFORE ME, the undersigned authority on this day personally appeared John Gilmore and after being by me first duly sworn deposed on his oath and said:

“My name is John Gilmore and I am an attorney in the above-referenced styled case. I have read the foregoing Motion for Extension of Time and all of the facts and allegations contained in said motion are true and correct of the best of my knowledge and belief.”

  
\_\_\_\_\_  
JOHN GILMORE

SUBSCRIBED AND SWORN TO before me on the 1<sup>st</sup> day of October, 2018.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct coy of the foregoing instrument was served via fax to the Office of the District Attorney, Nueces County Courthouse, 901 Leopard Street, Corpus Christi, Texas 78401 on the 1<sup>st</sup> day of October, 2018.

/s/ John Gilmore  
\_\_\_\_\_  
JOHN GILMORE